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AO 91 (Rev. 02/09) Criminal Complaint

AUSA Eric M. Straus (313) 226-9648
Special Agent Mark Silski, FBI (313) 496-4344

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

MIRELLA SARIC-DZIOBA

Case:2:13-mj-30542

Judge: Unassigned,

Filed: 09-06-2013 At 04:03 PM

SEALED MATTER (jj)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of August 9, 2013 in the county of Macomb in the Eastern
District of Michigan, the defendant violated 18 U. S. C. § 1952,
an offense described as follows:

Interstate Use of a Facility in Interstate Commerce (cellular telephone) in Aid of Racketeering (extortion in violation of the laws of the State of Michigan).

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.
Complainant's signature

S/A MARK A. SILSKI, F.B.I.

Printed name and title

Sworn to before me and signed in my presence.

Date:

9/6/13

City and state:

DETROIT, MI 48226
Judicial Officer signature

LAMINE J. NICHOLSON

Printed name and title

U.S. MAG. JUDGE

Affidavit

Marc A. Silski, being duly sworn states:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) presently assigned to the Detroit, Michigan Field Office, and work principally on cases involving organized criminal groups. I have been a Special Agent of the FBI since May 2005.
2. The statements contained in this Affidavit are based in part on information provided by other FBI Special Agents, local law enforcement officers, witnesses, along with my own observations and experience. I have not included all the facts known about the case, only those necessary to establish probable cause that MIRELA DZIOBA, a/k/a MIRELLA SARIC-DZIOBA, has knowingly engaged in multiple violations of Title 18, United States Code, Section 1952(a)(3), that is; Interstate Use of a Facility in Interstate Commerce (cellular telephone) in Aid of Racketeering (extortion in violation of the laws of the State of Michigan).

Investigation

3. MIRELA DZIOBA is 33 years old, and lists xxxxx xxxxxxxx Road, Macomb, Michigan as her residence on her Michigan Secretary of State issued driver's license. She is believed to be of Bosnian descent.
4. On August 9, 2013, the Detroit FBI received allegations that a "MIRELLA SARIC-DZIOBA" [identified as MIRELA DZIOBA] was attempting to extort money from a wealthy businessman (hereinafter referred to as "victim") in the Detroit metropolitan area. According to information provided by the victim, DZIOBA was employed at a local real estate office, and during the course of a July 2013 Commercial Real Estate closing, the victim was introduced to DZIOBA. DZIOBA subsequently asked the victim if he would accompany her for a drink at a later time, to which the victim agreed.

5. At the meeting, occurring in a restaurant in Rochester, Michigan, DZIOBA explained to the victim that she enjoyed “strong” men speaking to her in a sexual manner and encouraged the victim to do so while in the restaurant. The victim was also encouraged by DZIOBA to subsequently leave several similar voicemail messages.

6. According to the victim, when he met DZIOBA a second time at a restaurant in the Rochester, Michigan area she inquired about the extent of the victim’s wealth. The victim informed your affiant that during one of these meetings DZIOBA had informed the victim that at some future time she will ask for money to help her, or for a charity. Around this time, DZIOBA also began to text the victim various friendly yet innocuous messages, which your affiant has reviewed. Also reviewed, were a few - what could be fairly described as - suggestive photographs of DZIOBA she had sent to the victim. The victim recalled that at some point, DZIOBA had requested money to pay for a computer and a class. The sum of the two items being approximately \$1,400.00.

7. The victim has indicated that DZIOBA had texted and called him utilizing telephone number (313) 289-xxxx.

8. On or about July 25, 2013 at approximately 2:18pm, the victim received a text message from telephone number (313) 289-xxxx, stating “Now please help me register for my real estate class and material. Thanx.” DZIOBA followed that text with another at 3:05pm that stated “I need to register today love. If I don’t must wait until end of August. Don’t want to wait anymore pleaseeeee do something.” At 3:19pm, another text was received from DZIOBA’s telephone stating “O forget it. Seriously I’m done. Maybe I should call her” [interpreted by the victim as a threat to harm his reputation, and/or his marriage].

9. Shortly after receiving the text messages from DZIOBA, and in fear of DZIOBA contacting his wife and falsely suggesting that something beyond the meetings and phone communications had occurred, the victim decided to pay DZIOBA the money to prevent her from telling the victim's wife. He thereafter obtained \$1,400.00 in cash and traveled to DZIOBA's place of employment, Real Living Kee Realty, in Rochester, Michigan. There, the victim discreetly informed DZIOBA that he had the money and DZIOBA signaled for the victim to go to another room. After moving to a different area within the office, the victim provided DZIOBA with the \$1,400.00, believing that the \$1,400.00 would be satisfactory, and that no further threats to contact his wife and family would be made. Upon receipt of the money, DZIOBA told the victim that the \$1,400.00 was not enough to keep her from telling the victim's wife and family about their encounters and conversations, and demanded instead an amount of \$250,000.00 from the victim or DZIOBA would follow through with her threats.

10. On or about July 26, 2013 at approximately 12:43pm, the victim received a text from telephone number (313) 289-xxxx, utilized by DZIOBA, which stated "If u think u can shut me up with 1400\$ u r mistaken. Seriously." On the same day, at approximately 2:05pm, the victim received in part the following text message "As for u I will let u know how much to wire to an account I provide or Monday I will tell everyone. I already told my husband and he wants me to get a lawyer." At approximately 2:41pm on or about July 26, 2013, the victim received a text message stating "All u got to do is pay and no one will ever know. Ever." At approximately 2:53pm, the victim received a text message from DZIOBA saying "I will let you know how much. And it don't matter when u coming u can just wire it."

11. On July 30, 2013, a hand delivered letter from victim's attorney was received directly by DZIOBA at her place of employment. That letter, in essence, demanded that she cease and

desist from her “extortionist” and “criminal” behavior; threatening also that the attorney would obtain a personal protection order from the court, and proceed with “all other actions for said criminal behavior.”

12. Later that day, on July 30, 2013, the attorney for the victim received an email from DZIOBA, claiming among other things that: “I have all the voicemail messages saved and in a safe place from your client as well as him coming to my job.” The balance of the email alleged in essence, that she was being harassed by the victim, that the attorney’s letter was harassing and unprofessional, and that she was going to hire her own attorney and threatened that “I will also contact media...”

13. After the letter/email exchange, on various dates during August 2013, the victim began to receive mysterious unanswered telephone calls from restricted telephone numbers. According to the victim, and presumably to threaten and frighten him, he also began to receive late night voicemail messages on his telephone. The voicemail messages contained previously, but edited parts of voicemails from himself which he had left for DZIOBA some weeks before.

14. On August 29, 2013, the victim participated in a consensually recorded telephone call. At approximately 2:41pm, an initial call was placed to DZIOBA utilizing telephone number (313) 289-xxxx. This initial call was answered by the telephone’s voicemail system.

15. At approximately 2:58pm on August 29, 2013, a return call was received by the victim, and recorded by the FBI. The telephone number reportedly calling the victim’s telephone appeared as “1-253-xxxx.” During the call, a woman who only identified herself as “Jody” and a supposed relative of DZIOBA, told the victim in part, that DZIOBA had messages from the victim and that “your wife would be very happy to hear those things.” “Jody” also told the victim that DZIOBA needs to receive \$100,000.00 to cover medical expenses incurred by

DZIOBA for "P.T.S.D." related to her interactions with the victim. "Jody" has said that DZIOBA had a recording of everything and that a friend of DZIOBA's was at the Big Boy restaurant and recorded "everything." "Jody" also stated that DZIOBA had informed her husband and that "if he gets involved, it's going to be a big problem for everybody." [This latter statement was interpreted by the victim as a possible physical threat based upon earlier conversations with DZIOBA wherein she claimed to have relatives associated with Bosnian Organized Crime.] "Jody" also stated that the victim needed to "pay her out, and she will be out of your life for good, but if you don't..." "Jody" then agrees to receive payments against the \$100,000.00. Payments of \$5,000.00 installments are agreed upon by "Jody" and the victim. "Jody" instructs the victim to bring the money to DZIOBA's employer and to leave the money at the front desk, or near DZIOBA's car, and conceal the money in a box to look like a gift.

16. On or about September 2, 2013, at approximately 10:11pm, the victim received a voicemail message from "Jody" to bring \$10,000 to DZIOBA's job and to have the money in an envelope or box so it is not noticeable. "Jody" finished the message with "one o'clock tomorrow, ten instead of five, or the deal is off."

17. On September 3, 2013, the victim participated in a consensually recorded conversation with DZIOBA. The victim, with \$4,800.00 in \$100 bills contained within a white envelope, arrived at DZIOBA's employer, located at 210 West University Road, Rochester, Michigan. Prior to arriving at DZIOBA's business, agents made photocopies of the money to be provided to DZIOBA. Once the victim arrived in the parking lot of the business, the victim sent DZIOBA a text message that he was there. Subsequently, the victim contacted DZIOBA telephonically utilizing telephone number (313) 289-xxxx, which was captured on the recording device. The victim asked for "Jody" and DZIOBA answered "yes." DZIOBA said that she could see the

victim in the parking lot, and initially refused to come out. After a brief discussion, DZIOBA agreed to come directly to the victim's vehicle. Once DZIOBA arrived at the vehicle, the victim handed her the envelope with the \$4,800.00 contained inside. The victim explained why the amount was less than agreed upon. DZIOBA informed the victim that "the next five needs to be by the end of this week though." The victim went on to explain that they could not withdraw \$10,000.00 per week without raising Government attention. DZIOBA countered that explanation, saying "if it raises a flag, then make it "nine" (meaning \$9,000.00) a week." DZIOBA then informed the victim that she wanted it next Monday.

18. During the meeting in the parking lot, agents, including your affiant observed and photographed a woman matching the description of DZIOBA speaking with the victim in the parking lot. Agents also observed and photographed the woman receive a white envelope from the victim. The woman exited the business at 210 West University, Rochester, Michigan, and re-entered the building after receiving the money from the victim. The victim identified the person he gave the money to as MIRELA DZIOBA.

19. On September 3, 2013, after the controlled delivery of money to DZIOBA, surveillance was conducted by your affiant and another FBI agent in the vicinity of DZIOBA's employer located at 210 West University, Rochester, Michigan. At approximately 3:25pm DZIOBA was observed leaving her employer. At approximately 3:52pm DZIOBA was observed by your affiant entering a pharmacy located on xxxxxx Road in Macomb, Michigan. At approximately 4:02pm, DZIOBA was observed leaving the pharmacy and entering her vehicle. DZIOBA subsequently traveled directly to her residence.


20. Your affiant and another FBI agent returned to the pharmacy and identified ourselves to the manager of the business. The manager voluntarily provided agents of copies of \$100 bills

that were negotiated at the pharmacy on September 3, 2013. Among the bills were two \$100 bills that were provided to DZIOBA by the victim earlier that afternoon.

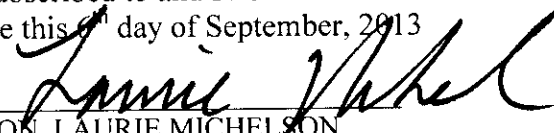
21. On September 3, 2013, at approximately 11:19pm, the victim received a voicemail from "Jody" stating that the victim needed to provide another \$4,200.00 by Friday. "Jody" added that the victim needed to bring the money at 1:00pm.

Conclusion

22. Based on the above and foregoing, your affiant believes that MIRELA DZIOBA is knowingly engaged in a scheme to extort money, and as part of that scheme, and on multiple occasions, has used facilities in interstate commerce, to wit: a cellular telephone in furtherance thereof, and in order to promote said extortion scheme. Therefore, I believe that there is probable cause that MIRELA DZIOBA has committed violations of Title 18, United States Code, Section 1952.


Marc A. Silski
Special Agent
Federal Bureau of Investigation

Subscribed to and sworn to before
me this 6th day of September, 2013


HON. LAURIE MICHELSON
United States Magistrate Judge